

No. _____

In The
Judicial Board
of the
Undergraduate Students Association
of
UCLA

Justin Jackson, Undergraduate Students of UCLA, et.
al.
v.
USAC Election Board

PETITION FOR CONSIDERATION

Justin Jackson

17 April 2019

USAC Election Board
Room 519, Kerckhoff Hall

Phone
usacelectionboard19@gmail.com

Signatures (official use only):

Chief Justice

Clerk

PART I: JURISDICTION

USA Constitution Article VI, Section A.3

“The Judicial Board shall serve as a board of appeals to decisions of the Elections Board.”

USA Election Code Article XI, 11.4.1 “Election Board decisions may be appealed in writing to the Undergraduate Students Association Judicial Board. Initial petitions for hearing shall be made by 5:00 p.m. on the second (2nd) official school day following said decision, unless evidence pertinent to the case is made available after this deadline.”

(Note: Evidence pertinent to the case has recently been made available. Specifically, Kyana Shajari’s statements made to Judicial Board in the 04/11/19 hearing of Broukhim v. USAC Election Board confirm Election Board’s failure to follow the Election Code and the USAC Bylaws.)

USA Judicial Board Bylaws Article X, Section 1A “All other processes, actions, and decisions, which are not instructed by these official Judicial Board Rules but pertain to the duties delegated to the Judicial Board by the Undergraduate Students Association Constitution and Bylaws, may be determined at the discretion of the Judicial Board.”

PART II: VIOLATIONS

Enumeration of Violations

USA Election Code Article I, 1.2 “This Code is intended to ensure that each candidate is afforded an opportunity for election equal to that of any other candidate for that office, and proponents and opponents of referenda and propositions are afforded an equal opportunity for their participation in the elections process.”

(Note: Election Board was found to be in violation of section 1.2 in Judicial Board Case 19-1)

USA Election Code Article II, 2.6.1

- a. “Be responsible for promoting elections, including all advertising in the campus media concerning the election and the recruitment of Election Board members;
- d. Be responsible for the advertisement and publicity of campaign packets and deadlines prior to elections;
- g. Be responsible for maintaining and updating the Election Board website and social media;
- h. Update election forms and documents on the website prior to elections;”

(*Note:* Election Board was found to be in violation of subsections a., d., g., and h. in Judicial Board Case 19-1)

- j. “Provide extensive publicity of the candidate filing period and election, in such a manner to aim that all elements of the campus community will receive equal notice;”

USA Election Code Article II, 2.4.1 “Present the Election Calendar to the USAC. The Election Calendar shall include...”

(*Note:* Found in violation previously by Judicial Board Case 19-1)

USA Bylaws Article VI, Section A2, Subsection B VII “No “Action” may be taken upon items in the Special Presentations, Reports or Announcements Sections of the Agenda.”

PART III: RAMIFICATIONS

Election Board’s failure to properly advertise the election is likely a major cause of the dramatic decrease in the number of candidates running for office. Last year, there were 39 candidates; this year, there are 17. Only four out of thirteen seats are contested, and three seats have no candidates.

This hurts UCLA students in three ways. First, it’s costly. Students will lose up to \$10,000 (the cost of

hosting fall special elections, according to a past Election Board member). Second, an election in which the majority of the seats are uncontested is an affront to UCLA students' right to elect their representatives. Third, non-USAC-affiliated students have (in effect) been excluded from running for office. This is because the only posts regarding registration deadlines made outside of the Official USAC Facebook Page were made the night before the due date for candidate registration forms. These forms require 75 signatures. This makes it practically impossible for any student not already affiliated with USAC to 1) have known about the deadlines in a timely manner and 2) have been able to gather signatures in time. Since less than two thousand students follow the Official USAC Facebook page (the only page on which registration deadlines were announced more than 24 hours before the deadline), the vast majority of the student body was effectively excluded from running for office.

PART IV: REMEDY SOUGHT

There are two remedies sought: First, Election Board must issue a new and legitimate calendar that is pursuant with the Election Board Bylaws Art. VII, 7.1.1. Second, Election Board must effectively advertise this new deadline to ensure "all elements of the campus community will receive equal notice," pursuant to Election code 2.6.1 (g).

This is the most appropriate remedy for four reasons. First, it's an established precedent since 2013 that when E-Board's improper advertising of

deadlines leads to confusion, E-Board has a responsibility to push back the deadlines for candidate registration by issuing a new calendar. Second, introducing a new calendar is necessary because the current calendar is illegitimate: it violates **USA Bylaws Article VI, Section A2, Subsection B VII**. Third, pushing back deadlines could save UCLA students \$10,000 -- the cost of having a fall special election -- by allowing students to run for currently uncontested seats. Fourth, pushing back registration deadlines is feasible: pursuant to Election Board Bylaws Art. VII, 7.1.1, election board has the discretion to push back the election to week 7.

PART V: INFORMATION

Petitioner: Justin Jackson, Undergraduate Students of UCLA,
et. al.
[REDACTED]

Council: John Ulysses Keevan-Lynch
[REDACTED]

PART VI: STATEMENT OF AUTHENTICITY

By signing below, I hereby attest that the above information is true to the best of my knowledge. Furthermore, I have read and understand the Judicial Board Procedure (Rules).

Respectfully submitted,

DATED:

Justin Jackson
(electronic signature)
Justin Jackson
Petitioner

DATED:

John Ulysses
Keevan-Lynch
(electronic signature)
John Ulysses
Keevan-Lynch
Counsel for Petitioner

